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WAR FOOD ADMINISTRATION
Office of Distribution
Washington 25, D. C.

June 1944

DRY BEANS

WAR FOOD ORDER NO. 45

Questions and Answers

This statement prepared for general distribution is intended to supply the answers to many of the questions raised by the public generally. For additional information write to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO 45.

Food Distribution Order No. 45 became effective April 1, 1943. Its purpose was to assure necessary supplies of dry edible beans, peas, and split-peas for military and allied needs. Amendment 2, effective November 1, 1943, removed dry peas, and split-peas from the order in the set-aside of dry beans of designated classes was reduced from 150 percent to 100 percent of the quantities delivered by country shippers into civilian channels.

Amendment 1, effective July 1, 1943, and Amendment 2, effective November 1, 1943, were, in effect, revisions as each wholly replaced the order in existence at the date of their issuance. Amendment 3, effective April 1, 1944, is supplemental to Amendment 2, affecting only (a)(3), (a)(7), (b)(1), (b)(7), and (h) of Amendment 2, and adding a new paragraph (a)(9).

Amendment 2, (a)(3) provided that any person who performed certain functions during any calendar month of 1943 qualified as a country shipper. Amendment 3, (a)(3) provides that any person who performs such functions during any calendar month subsequent to July 1, 1943, qualifies as a country shipper.

Amendment 2, (a)(7)(iii) provided that "any person who, pursuant to a Food Distribution Regulation, is entitled to purchase food subject to this order" qualified as a "governmental agency." In Amendment 3, this sub-paragraph has been omitted, thus eliminating certain persons and agencies from classification as "governmental agencies."

In Amendment 3, (a)(9) is added to define the term "deliveries into civilian channels." Any delivery of beans of the classes designed in the Order to any person or agency other than a governmental agency, an authorized purchaser, a country shipper or a person for use as feed or seed in accordance with the provisions of (b)(7), is a delivery into civilian channels.

Amendment 2, (b)(1) provided that each country shipper should, during each calendar month, set-aside and hold for delivery to governmental agencies, or authorized purchasers, quantity of beans equal to at least 100 percent of all beans of the following classes which he delivered into civilian channels::

Pea, Great Northern, Small White, Flat Small White, Light Red Kidney, Dark Red Kidney, Western Red Kidney, Pink, Cranberry, Small Red, Pinto, and Baby Lima beans.

Amendment 3, (b)(1) provides that each country shipper shall, during each calendar month, set-aside and hold for delivery to governmental agencies, or authorized purchasers, a quantity of beans equal to at least 100 percent of his total deliveries of the following classes into civilian channels: Light Red Kidney, Dark Red Kidney, Western Red Kidney, Small White, Pink, and Baby Lima beans; and a quantity equal to at least 25 percent of his total deliveries into civilian channels of beans of the following classes: Pea, Great Northern, Flat Small White, Cranberry, Small Red, and Pinto beans.

Amendment 2, (b)(7) provided that beans sold and delivered exclusively for seed purposes in compliance with State and Federal seed laws were not subject to the Order. Amendment 3, (b)(7) provides that beans sold for seed as specified in Amendment 2, or beans sold for use as feed for poultry or livestock, shall be exempted from any set-aside requirements, provided that the seller obtains, from the person purchasing or accepting delivery of beans for such purposes, a certificate in substantially the form of Exhibit B attached to Amendment 3.

Amendment 2, (h) provided that the Director could release by general order or by written notices any or all beans set-aside by any country shipper pursuant to the provisions of the Order. Amendment 3, (h)(2) provides, in addition to the original provision, that the Director may release any person from the classification of a "country shipper" upon a proper showing of fact and intent.

On April 20, 1944, Food Distribution Order No. 45, which then consisted of Amendments 2 and 3, was redesignated as War Food Order No. 45.

Questions and Answers

1. Q - Against which deliveries of beans is a set-aside to be made by the country shipper under the provisions of WFO No. 45?

A - He is required to make a set-aside against all deliveries into civilian Channels of beans of the classes designated in the Order.
2. Q - What is meant by "Deliveries into civilian channels?"

A - Deliveries into civilian channels are those made to any person or agency who does not qualify as a "governmental agency," an "authorized purchaser," a "country shipper" or a user of beans for feed or seed.
3. Q - What deliveries are credited against the set-aside requirement?

A - Only deliveries made directly by country shippers to governmental agencies or to authorized purchasers are credited against the set-aside requirement.

4. Q - Does a country shipper obtain a set-aside credit or a set-aside debit when he makes a delivery of beans to another country shipper?

A - A country shipper obtains neither a set-aside credit nor a set-aside debit when he delivers beans to another country shipper.

5. Q - Are beans which are sold by one country shipper to another country shipper to be reported on Form FDO-45-2?

A - No. Deliveries made by one country shipper to another country shipper should not be reported on Form FDO-45-2.

6. Q - What is the distinction between a country shipper and an authorized purchaser as defined in WFO-45?

A - A country shipper prepares beans, or purchases from a grower beans that have been prepared for delivery in the dry, uncooked state. An "authorized purchaser" is a person who holds an existing contract to sell and deliver to a governmental agency products prepared, in whole or in part, from beans. Such products include such items as canned pork and beans, canned vegetable stew, dehydrated beans, and other canned or precooked bean products. No person can be considered an authorized purchaser unless he furnishes a certificate that he will use the beans to fulfill a contract with a governmental agency.

7. Q - If a country shipper delivers to another country shipper, beans against which he has made a set-aside, is the second country shipper relieved of the set-aside requirement on such beans?

A - No. Whenever a country shipper delivers beans into civilian channels he is required to make the set-aside thereon regardless of the source of the beans.

8. Q - What dealers are required to submit monthly reports on Form FDO-45-2?

A - Any dealer who has performed the processing functions set forth in the definition of a country shipper, and who during any calendar month subsequent to July 1, 1943, has delivered to a governmental agency, an authorized purchaser, or into civilian channels in excess of 20,000 pounds of beans of the classes designated in WFO No. 45.

9. Q - Is a dealer who has qualified as a country shipper but who is not now functioning as such, required to submit these monthly reports?

A - Yes. So long as a dealer is classified as a country shipper he is required to submit monthly reports. If he desires to be released from this classification, pursuant to the provisions of (h)(2) of WFO-45, he may file a petition to the Director requesting release, and if the release is granted no further reports will be required.

10. Q - Can beans of one of the classes against which a 25 percent set-aside is required be used to fill governmental requirements for beans of the classes against which a 100 percent set-aside is now required?

10. A - No. There is no transfer of set-aside credit between the two groups for set aside required on and after April 1, 1944. For example, deliveries of Pea beans, or any other class of beans in the 25 percent group cannot be used to fulfill set-aside obligations against Small White beans or any other class of beans in the 100 percent group. However, any class of beans in the 25 percent group can be used to fulfill set-aside obligations against any other class within this group, and any class of beans in the 100 percent group can be used to fulfill the set-aside obligation against any other class within that group.

11. Q - How is a set-aside balance carried over from March 31, 1944 to be handled?

A - The country shipper will be permitted to enter the set-aside balance in column (a) or column (b) of the new report form which provides a separate column for each of the two groups of set-aside classes of beans, or, if he prefers, he may enter a part of the set-aside balance in each column. Thus, a country shipper may set up his reports in such a manner as to apply deliveries of either or both groups of beans against the set-aside balance carried forward from item 9 of his March report. After the balance has been entered in the selected column on the April report, it may not be transferred to the other column except by obtaining permission from the Order Administrator. Instructions covering the handling of the set-aside balance on the April report will be sent out with the new report forms.

WAR FOOD ADMINISTRATION

[WFO 45, Amdt. 5]

PART 1491—BEANS

RESTRICTIONS ON DELIVERIES OF BEANS

War Food Order No. 45, as amended (8 F.R. 14880, 9 F.R. 4319), is further amended to read as follows:

§ 1491.1 *Beans required to be set aside*—(a) *Definitions.* (1) "Beans" means dry threshed beans of the following classes, as defined in the United States Standards for Beans, as revised, effective September 1, 1941: Pea beans; Great Northern beans; Small White beans; Flat Small White beans; Light Red Kidney beans; Dark Red Kidney beans; Pink beans; Western Red Kidney beans; Cranberry beans; Small Red beans; Pinto beans; and Baby Lima beans.

(2) "Authorized purchaser" means any person who holds an existing contract to sell or deliver to a governmental agency products prepared, in whole or in part, from beans.

(3) "Country shipper" means any person whose total deliveries of beans, exclusive of his deliveries thereof to another country shipper, during any calendar month subsequent to July 1, 1943, has exceeded or exceeds 20,000 pounds, and who (i) owns beans, in whole or in part, which he has caused to be screened, sorted, hand-picked, polished, or otherwise cleaned for delivery in the dry, uncooked state, whether for his own account or the joint account of himself and another; or (ii) purchases, for his own account or for the joint account of himself and another, beans from a grower who caused such beans to be screened, sorted, hand-picked, polished, or otherwise cleaned for delivery in the dry, uncooked state. Any person who once qualifies as a country shipper within this definition shall thereafter be deemed to be a country shipper and subject to the terms and conditions of this order, regardless of the volume of his deliveries in succeeding months, unless he obtains a release from the Director.

(4) "Delivery" means the physical transfer of beans from a country shipper to a buyer. The transfer of beans by a country shipper to a carrier, truck, railroad car, or other vehicle for transportation to the buyer, regardless of the ownership or control of the carrier or vehicle being used for such transportation, shall constitute a delivery.

(5) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(6) "Director" means the Director of Distribution, War Food Administration.

(7) "Governmental agency" means (i) the armed services of the United States; (ii) the War Food Administration (including but not restricted to any corporate agency thereof); and (iii) any other instrumentality or agency designated by the War Food Administration.

(8) "Armed services of the United States" means the Army, Navy, Marine Corps, and Coast Guard of the United States, excluding, however, for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations.

(9) "Deliveries into civilian channels" means any delivery of beans to persons other than (i) governmental agencies; (ii) authorized purchasers; (iii) country shippers; or (iv) users of such beans for feed or seed purposes.

(b) *Restrictions on country shippers.*

(1) Every country shipper shall, during each calendar month, set aside and thereafter hold for delivery to governmental agencies or authorized purchasers a quantity of Pea beans, Great Northern beans, Flat Small White beans, Cranberry beans, Small Red beans or Pinto beans equal to at least 25 percent of his total deliveries of such classes of beans into civilian channels during such calendar month, and a quantity of Small White beans, Light Red Kidney beans, Dark Red Kidney beans, Western Red Kidney beans, Pink beans or Baby Lima beans equal to at least 100 percent of his total deliveries of such classes of beans into civilian channels during such calendar month.

(2) The beans set aside pursuant to the provisions hereof shall be of U. S. No. 2 grade or better, as specified in the United States Standards for Beans.

(3) Beans set aside under this order may be sold to:

(i) Any governmental agency in response to announcements or notices by such agencies that offers for beans will be received;

(ii) Any authorized purchaser who furnishes a certificate in accordance with (c) hereof; or

(iii) Any country shipper who acquires such beans for the express purpose of resale and delivery to an authorized purchaser or governmental agency, and who furnishes a certificate in accordance with (c) hereof.

(4) Nothing in this order shall be applicable to beans sold and delivered exclusively for use as seed, in compliance

with State and Federal seed laws, or exclusively for use as feed for poultry or livestock, provided the purchaser of such beans furnishes a certificate in accordance with (c) hereof.

(c) *Certificates required.* Every authorized purchaser or country shipper who purchases or accepts delivery of beans which have been set aside under this order, and every person who purchases or accepts delivery of any beans for use as seed or as feed for poultry or livestock, shall furnish to the seller a certificate in the form attached hereto as Exhibit A. A separate certificate shall be furnished for each delivery. Each certificate shall be signed by the buyer or his authorized representative and shall constitute a representation to the War Food Administrator. One copy of the certificate shall be delivered to the country shipper and one copy retained by the purchaser. All certificates shall be retained by the country shipper, for at least two years, for inspection by and delivery to the Director upon request. No country shipper shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(d) *Contracts.* The restrictions hereof shall be observed without regard to the rights of creditors, prior contracts existing contracts, payments made, or deliveries of beans made prior to the effective date hereof. This order shall not, however, be construed as reducing the amount of beans which any person is required to set aside or deliver or to have set aside and held for delivery to governmental agencies under the provisions of this order prior to the effective date of this amendment or any existing contract made with a governmental agency, but any quantity of beans delivered after the effective date of this order to any governmental agency or authorized purchaser, except beans required to be set aside pursuant to the provisions of this order prior to the effective date of this amendment for delivery to governmental agencies, shall be allowed as a credit to such person in determining the quantity of beans required to be set aside and held for delivery to governmental agencies pursuant to the provisions hereof.

(e) *Prior restrictions modified.* Beans in quantities less than a carlot (80,000 pounds) required to be set aside pursuant to the provisions of this order prior to July 1, 1943, may be sold and delivered to a country shipper if such country shipper certifies to the seller (and such certification shall be deemed to be a rep-

resentation to an agency of the United States) that he will set aside and hold such beans, or a quantity of beans equivalent thereto, for delivery to a governmental agency in addition to the quantity of beans he is otherwise required to set aside under this order, as amended. Beans set aside prior to July 1, 1943, in quantities in excess of a carlot (80,000 pounds) may be sold and delivered in accordance with the provisions of paragraphs (b) (3) and (c) of this order, as amended.

(f) *Records and reports.* (1) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in beans.

(g) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises, or stocks of beans of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship upon him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(i) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using beans. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and

all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Releases.* (1) The Director may, notwithstanding any of the provisions hereof, release any or all of the beans set aside pursuant to the provisions of this order.

(2) Upon application, the Director may release any person from the classification of a "country shipper" if the person seeking removal from such classification shows to the satisfaction of the Director (i) that his total deliveries of beans during each of the two calendar months next preceding the date of his application, exclusive of his deliveries to any country shipper, have not exceeded 20,000 pounds; (ii) that he is currently in compliance with the provisions of the order; (iii) that he has delivered or contracted to deliver to governmental agencies or authorized purchasers all of the beans required to be set aside except a quantity of less than a carlot; and (iv) that he does not intend to operate as a country shipper.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall be addressed to the Order Administrator, War Food Order No. 45, Grain Products Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Ref.: WFO 45.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director, and may be redelegated by him to any employee of the United States Department of Agriculture.

(m) *Release of set aside peas and split peas.* Peas and split peas, set aside pursuant to the provisions of War Food Order No. 45, as amended, are hereby released and may be disposed of without regard to the restrictions of this order in effect prior to the effective date of this amendment.

(n) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(o) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., August 10, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 45, as amended, prior to said date, all provisions of said War Food

Order No. 45, as amended, in effect prior hereto shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements of this order will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of August 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

EXHIBIT A—CERTIFICATE REQUIRED BY PARAGRAPH (C) OF WAR FOOD ORDER NO. 45 COVERING BEANS PURCHASED BY AUTHORIZED PURCHASERS, COUNTRY SHIPPERS, OR FOR SEED OR FEED PURPOSES

Name of government agency and contract number

Name of authorized purchaser to whom delivery will be made

Use (If for feed or seed purposes, indicate which)

Commodity and Class

Grade

Quantity

Date

In accordance with War Food Order No. 45, the undersigned hereby certifies that he is familiar with the terms of War Food Order No. 45 (as originally issued or subsequently amended), that the purchase of beans described above from

Name of seller Address of seller

is authorized under War Food Order No. 45, and that the beans described above will be:

*Used in fulfillment of the above-specified contract with a governmental agency,

*Delivered to the above-named authorized purchaser,

*Delivered to the above-named governmental agency,

*Used for feed or seed purchases.

By Name of buyer

Title of person executing certificate

Address of buyer

*Strike inapplicable provisions.

War Food Administration,
Summary to WFO 45 Amendment 5.

To facilitate the handling of dry edible beans set aside for sale to governmental agencies, the War Food Administration has amended War Food Order No. 45 to permit their delivery, under

certain conditions, among country shippers.

The amendment, effective August 10, 1944, will enable country shippers with sizeable Government or authorized purchaser contracts to procure beans from other shippers in quantities sufficient to fill such contracts and to pass on the

set-aside credit to the other shippers. Heretofore, beans set aside by country shippers under WFO 45 could be delivered only directly to a governmental agency or to an authorized purchaser.

This amendment as issued is included in a complete re-write of the Order.

WAR FOOD ADMINISTRATION
OFFICE OF DISTRIBUTION
WASHINGTON 25, D. C.

OFFICIAL BUSINESS

Penalty for Private Use to Avoid Payment of
Postage, \$300

WAR FOOD ADMINISTRATION

[WFO 45, Amdt. 6]

PART 1491—BEANS

RESTRICTIONS ON DELIVERY OF BEANS

War Food Order No. 45, as amended (9 F.R. 9775), § 1491.1, is further amended as follows:

1. By deleting (a) (1) and substituting in lieu thereof the following:

(1) "Beans" means dry threshed beans of the following classes, as defined in the United States Standards for Beans, as revised, effective September 1, 1941: Pea beans; Great Northern beans; Small White beans; Flat Small White beans; Light Red Kidney beans; Dark Red Kidney beans; Pink beans; Western Red Kidney beans; Small Red beans; Pinto beans; and Baby Lima beans.

2. By deleting (b) (1) and substituting in lieu thereof the following:

(1) Every country shipper shall during each calendar month, set aside and thereafter hold for delivery to governmental agencies or authorized purchasers a quantity of Pea beans, Great Northern beans, Small White beans, Flat Small White beans, Small Red beans or Pinto beans equal to at least 40 percent of his total deliveries of such classes of beans into civilian channels during such calendar month, and a quantity of Light Red Kidney beans, Dark Red Kidney beans, Western Red Kidney beans, Pink beans or Baby Lima beans equal to at least 100 percent of his total deliveries of such classes of beans into civilian channels during such calendar month.

This amendment shall become effective at 12:01 a. m., e. w. t., September 5, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 45, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 4th day of September 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

War Food Administration,
Summary to WFO-45 Amendment 6.

The War Food Administration has amended War Food Order No. 45 to increase from 25 to 40 percent the quantity of certain designated classes of dry edible beans required to be set aside by country shippers for sale to Government agencies during the crop year beginning September 1, 1944. The set aside is based on deliveries of beans into civilian channels.

Classes affected by the amendment are

Pea, Great Northern, Flat Small White, Small White, Small Red and Pinto. The 100 percent set aside requirement for Baby Lima, Pinks, Light Red Kidney, Dark Red Kidney and Western Red Kidney remains unchanged.

Cranberry beans, previously included in the 25 percent group, have been eliminated from the order. Small White beans, heretofore in the 100 percent group, now are in the 40 percent group.

Dry edible beans were classified into the 25 and 100 percent groups for set aside purposes last April. The order re-

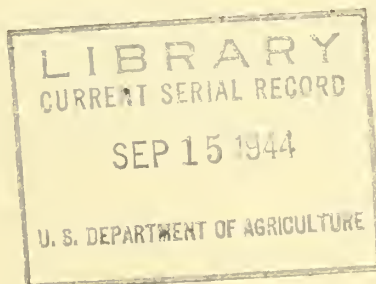
quired 150 percent set aside of all classes (15 one hundred pound bags for every 10 bags sold into civilian channels) from July 1 to November 1, 1943, on which date the requirement was reduced to 100 percent.

The current increase to 40 percent for the single group is necessary to meet war requirements. Governmental agencies are classified in the order to include the armed services, WFA's Office of Distribution, or any other instrumentality or agency designated by WFA.

GPO—WFA 128—p. 1

WAR FOOD ADMINISTRATION
OFFICE OF DISTRIBUTION
WASHINGTON 25, D. C.

OFFICIAL BUSINESS



Penalty for Private Use to Avoid Payment of
Postage, \$300

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WAR FOOD ADMINISTRATION

[WFO 45, Amdt. 7]

PART 1491—BEANS

CLASSES AND PERCENTAGES OF BEANS TO BE SET ASIDE

War Food Order No. 45, as amended (9 F.R. 9775, 10927), is further amended as follows:

1. By deleting (a) (1) and substituting in lieu thereof the following:

(1) "Beans" means dry threshed beans of the following classes, as defined in the United States Standards for Beans, as revised, effective September 1, 1941: Pea beans; Great Northern beans; Small White beans; Flat Small White beans; Light Red Kidney beans; Dark Red Kidney beans; Pink beans; Western Red Kidney beans; Small Red beans; and Baby Lima beans.

2. By deleting (b) and substituting in lieu thereof the following:

(b) *Restrictions on country shippers.*

(1) Every country shipper shall, during each calendar month, set aside and hold for delivery to the persons or agencies hereinafter specified, a quantity of beans equal to the indicated percentage of total deliveries, into civilian channels during such calendar month, of the classes of beans within each of the following groups:

Class of beans:	Percentage
Group 1 Pea; Great Northern; Small White; Flat Small White.....	35
Group 2 Red Kidney.....	300
Group 3 Baby Lima.....	60
Group 4 Pink, Small Red.....	100

(2) All beans set aside under this order shall be of U. S. No. 2 Grade or better as specified in the United States Standards for Beans.

(3) Group 1, Group 2, and Group 3 beans set aside under this order may be sold only to:

(i) The armed services of the United States in response to announcements or notices by the particular service that offers for beans will be received;

(ii) An authorized purchaser who furnishes a certificate in accordance with (c) hereof; or

(iii) A country shipper who acquires such beans for the express purpose of resale and delivery to an authorized purchaser or to the armed services of the United States, and who furnishes a certificate in accordance with (c) hereof.

(4) Group 4 beans set aside under this order may be sold only to:

(i) A governmental agency in response to announcements or notices by the particular agency that offers for beans will be received;

(ii) An authorized purchaser who furnishes a certificate in accordance with (c) hereof; or

(iii) A country shipper who acquires such beans for the express purpose of resale and delivery to an authorized purchaser or a governmental agency, and who furnishes a certificate in accordance with (c) hereof.

(5) Nothing in this order shall be applicable to beans sold and delivered exclusively for use as seed, in compliance with State and Federal seed laws, or exclusively for use as feed for poultry or livestock, provided the purchaser of such beans furnishes a certificate in accordance with (c) hereof.

This amendment shall become effective at 12:01 a. m., e. w. t., December 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 45, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E. O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 1st day of December 1944.

ASHLEY SELLERS,

Assistant War Food Administrator.

War Food Administration,
Summary to WFO 45, Amendment 7.

The War Food Administration has amended War Food Order No. 45 to readjust the set-aside requirements for edible dry beans by classes in accordance with revised allocations to claimant war agencies.

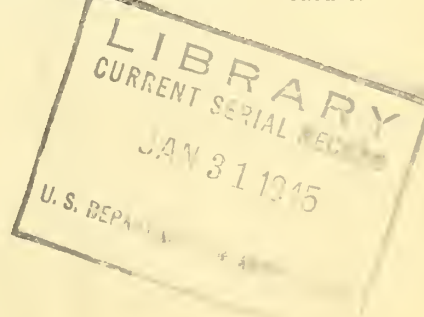
The amendment, effective December 1, 1944, divides ten classes of beans into 4 separate set-aside groups, and fixes the set-aside percentage for each group according to need. The percentages, based on deliveries into civilian channels, vary from 35 to 300 percent as follows:

	Classes	New percentage	Former percentage
Group 1.	Pea, Great Northern, small white, flat small white.	35	40
Group 2.	Red kidney (3 classes)...	*300	100
Group 3.	Baby lima...	60	100
Group 4.	Pink	100	100
	Small red...	100	40

*This means that country shippers are required to set aside 3 (100 pound) bags for every bag sold into civilian channels.

On the basis of volume, the readjusted percentages represent a smaller quantity of beans than the former 40 and 100 percent set aside from two class groups. Pinto beans are eliminated from the set

aside requirements, and the increase in red kidneys and small reds will be virtually off-set in volume by the decrease in percentage requirements for the white beans in Group 1. All beans in the first 3 groups will be purchased only by the armed services and authorized purchasers or country shippers who acquire them for resale to authorized purchasers or the armed services, while those in group 4 will be eligible for purchase by authorized purchasers, and country shippers by any governmental agency as defined in the order. Commodity Credit Corporation will not purchase beans in Groups 1, 2, and 3 except as a price support measure.



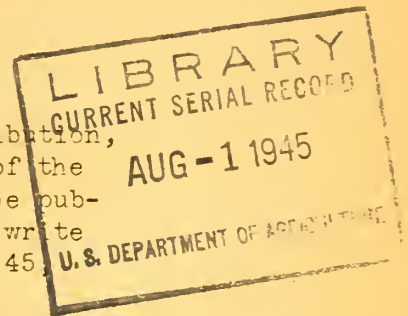
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WAR FOOD ADMINISTRATION
Office of Marketing Services
Washington 25, D. C.

January , 1945

DRY BEANS
WAR FOOD ORDER NO. 45

Questions and Answers

This statement, prepared for general distribution, is intended to supply the answers to many of the questions raised by country shippers and the public generally. For additional information write to the Order Administrator, War Food Order 45, Grain Products Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C., Ref. WFO 45.



War Food Order 45 as now in effect is comprised only of WFO 45 Amendments 5 and 7. Amendment 5, effective August 10, 1944, wholly replaced the order in effect at the date of its issuance. Amendment 7, which became effective beginning 12:01 a.m. E.W.T., December 1, 1944, removes pinto beans from the list of set-aside classes and breaks the remaining set-aside classes of beans into four groups with set-aside percentages as follows:

<u>Class of beans</u>	<u>Percentage</u>
Group 1 Pea, Great Northern; Small White; Flat Small White	35
Group 2 Red Kidney (Light, Dark, and Western)	*300
Group 3 Baby Lima	60
Group 4 Pink; Small Red	100

Questions and Answers

1. Q - What deliveries to country shippers may be credited against set-aside requirements?

A - (1) Groups 1, 2 or 3 beans delivered to country shippers may be credited if the country shipper issues a certificate stating that they are for redelivery to the armed services or authorized purchasers.

(2) Group 4 beans may be so credited if the country shipper issues a certificate stating that they are for redelivery to a governmental agency or authorized purchaser.

*This means that country shippers are required to set aside 3 (100 pound) bags for every bag sold into civilian channels.

2. Q - If a country shipper obtains set-aside beans from another country shipper for use in fulfilling a governmental or authorized purchaser contract for which he issues the required certificate (WFO 45, Amendment 5, Section (c)), may he report such beans under item 8 of his monthly report as a set-aside credit?

A - No. Issuance of the required certificate entitles the shipper from whom the beans were obtained to the set-aside credit.

3. Q - Can beans of one of the set-aside groups be used to fill the set-aside requirement for beans of another set-aside group?

A - No.

4. Q - Can beans of one class be substituted for beans of another class in the same set-aside group in meeting the set-aside requirements of the Order.

A - Yes. Set-aside beans may consist of any class or classes within the group.

5. Q - May set-aside credit be taken for pinto beans delivered to governmental agencies or authorized purchasers subsequent to December 1, 1944?

A - Only if the set-aside obligation against which the beans are delivered accrued prior to December 1, 1944. In such cases credit will be given against the 40 percent requirement then in effect.

6. Q - Is it necessary for a country shipper to report his end-of-the-month inventory on each monthly report?

A - Yes. A country shipper must report his end-of-the-month inventory in order to indicate that he is in compliance with the set-aside provisions of the Order.

7. Q - May beans in inventory of less than U. S. No. 2 grade, or uncleaned beans that will not grade U. S. No. 2 when processed, be considered to be set-aside beans?

A - No, paragraph (b) (2) specifies that all beans set aside must grade U. S. No. 2 or better. However, uncleaned beans that will grade U. S. No. 2 or better after processing may be included in the inventory in an amount equal to the quantity of beans of grade U. S. No. 2 or better which the dealer estimates will be processed from such uncleaned beans.

8. Q - Why is it essential for a country shipper to submit monthly reports promptly?

A - Country shippers who do not submit their monthly reports on or before the 10th day of the following month are in non-compliance with the requirements of the Order. Furthermore, prompt receipt of reports enables the Order Administrator to perform his duties more effectively.

9. Q - Why is it essential to the country shipper to be in compliance with all provisions of WFO 45?

A - The 1944 Bean Subsidy Agreement provides that dealers must be in compliance with all provisions of WFO 45 in order to be eligible to claim subsidy payments. Also, appropriate legal action may be taken for violation of the Order.

10. Q - To what governmental agencies shall country shippers offer set-aside beans?

A - Set-aside beans in groups 1, 2, and 3, as provided in Amendment 7, shall be offered to the armed services, whereas set-aside beans in group 4 may be offered to any governmental agency, including the Commodity Credit Corporation.



DEPARTMENT OF AGRICULTURE

[WFO 45, Amdt. 9]

PART 1491—BEANS

RESTRICTIONS ON DELIVERIES OF BEANS

War Food Order No. 45, as amended, § 1491.1 (9 F.R. 9775, and 14273; 10 F.R. 103) is hereby amended:

(1) By striking the words "War Food Administrator" and the words "War Food Administration" wherever they appear in § 1491.1 and substituting in lieu thereof, respectively, the words "Secretary of Agriculture" and the words "United States Department of Agriculture."

(2) By deleting § 1491.1 (a) (7) and substituting in lieu thereof the following:

(7) "Governmental agency" means (i) the armed services of the United States; (ii) the United States Department of Agriculture (including but not restricted to any corporate agency thereof); and (iii) any other instrumentality or agency

designated by the Secretary of Agriculture.

(3) By adding, after § 1491.1 (a) (9), the following:

(10) "Secretary of Agriculture" means the Secretary of Agriculture, United States Department of Agriculture.

(4) By deleting §§ 1491.1 (b) (3) and (4) and substituting in lieu thereof the following:

(3) Beans required to be set aside under this order may be sold only to:

(i) A governmental agency in response to announcements or notices by the particular agency that offers for beans will be received;

(ii) An authorized purchaser who furnishes a certificate in accordance with (c) hereof; or

(iii) A country shipper who acquires such beans for the express purpose of resale and delivery to an authorized purchaser or to a governmental agency, and

who furnishes a certificate in accordance with (c) hereof.

(5) By renumbering § 1491.1 (b) (5) as § 1491.1 (b) (4).

This amendment shall become effective at 12:01 a. m., e. w. t., August 9, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 45, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9534, 8 F.R. 5423; E.O. 9392, 8 F.R. 14763, E.O. 9577, 10 F.R. 8087)

Issued this 7th day of August 1945.

[SEAL]

CLINTON P. ANDERSON,
Secretary of Agriculture.

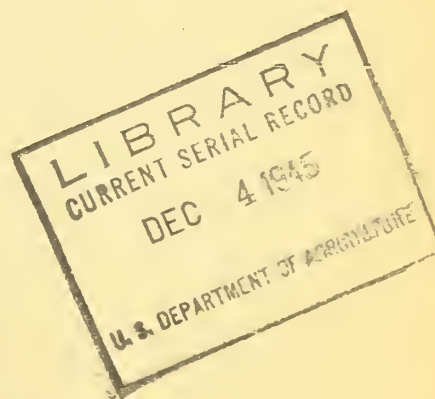
U. S. Department of Agriculture Summary to WFO-45 Amendment 9

All classes of dry beans may now be purchased by the U. S. Department of Agriculture as well as the U. S. armed forces under Amendment 9 to War Food Order 45, effective August 9, 1945. While this action means that Department through the Commodity Credit Corporation will now be able to purchase beans of all four set-aside groups, it is not expected to mean either more or less beans for civilians since civilian allocations of beans are not affected by the present amendment.

Under the previous purchasing restrictions—authorized by Amendment 7 to WFO 45, issued December 1, 1944—set-aside beans in Groups 1, 2, and 3 were restricted for purchase by the armed forces or their authorized purchasers, leaving only set-aside beans in Group 4 for purchase by CCC. This was made necessary because of a shortage of beans and the necessity of insuring that the armed forces would receive their requirements. Amendment 9, permitting purchase of all four groups of beans by both CCC and the armed forces, is a return to

provisions existing prior to December 1, 1944.

Pea, Great Northern, Small White, and Flat Small White, which comprise Group 1; Red Kidneys, Group 2; and Baby Limas, Group 3, were the three groups of beans previously reserved for purchase by the Army or its authorized purchasers. This had left only Pinks and Small Reds in Group 4, for CCC purchase. No set-aside at present is required of other classes of beans such as Pintos and Blackeyes.





DEPARTMENT OF AGRICULTURE

[War Food Order 45, Amdt. 10]

PART 1491—BEANS

RESTRICTION ON PURCHASE AND DELIVERY
OF BEANS

War Food Order No. 45, as amended (9 F. R. 9775), is further amended to read as follows:

§ 1491.1 *Beans required to be set aside*—(a) *Definitions.* (1) "Beans" means dry threshed beans as defined in the United States Standards for beans, as revised, effective September 1, 1941, of the following classes: Pea, Great Northern, Red Kidney, (Dark, Light, and Western), Pink, and Small Red.

(2) "Authorized purchaser" means (i) any person who, at the time he purchases beans set aside hereunder, holds an existing contract to deliver beans, or any product prepared, in whole or in part, from beans, to a governmental agency, (ii) any person who, at the time he purchases beans set aside hereunder, holds an existing contract to deliver beans, or any product prepared, in whole or in part, from beans, to the General Supplies Administration, Government of Puerto Rico, or (iii) any person designated as an authorized purchaser by the Order Administrator.

(3) For the purposes of this order, "country shipper" means any person who purchases in excess of 20,000 pounds of beans from producers during any calendar month beginning October 1, 1946. Any person who once qualifies as a country shipper within this definition shall thereafter be deemed to be a country shipper and subject to the terms and conditions of this order, regardless of the volume of his deliveries in succeeding months, unless he obtains a release from the Administrator. This definition includes but is not limited to producer cooperatives and similar associations but does not include commission merchants, brokers, or other persons who do not take title to the beans handled by them.

(4) "Purchase" means (i) a transaction in which title to beans passes from a producer to a country shipper or, (ii) a transaction in which title to beans against which set aside has not been made passes from a country shipper to another country shipper under the provision of paragraph (c) hereof.

(5) "Producer" means any person who grows beans for his own account or for the joint account of himself and another.

(6) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(7) "Administrator" means the Administrator, Production and Marketing Administration, United States Department of Agriculture, or any employee of said Department to whom the Administrator has delegated, or may hereafter delegate, any or all of the authority vested in him by this order.

(8) "Governmental agency" means (i) the Armed Services of the United States,

(ii) the United States Department of Agriculture (including but not restricted to any corporate agency thereof), (iii) the Veterans' Administration, (iv) the Maritime Commission, and (v) any other instrumentality or agency designated by the Administrator.

(b) *Restrictions on country shipper.* (1) No country shipper shall in any calendar month beginning October 1, 1946, purchase beans from a producer or other country shipper unless (i) he shall set aside, in such calendar month, a percentage of his total purchases of each class of beans, as follows:

Class of beans:	Percentage to be set aside
Pea	20
Great Northern	20
Red Kidney (Dark, Light and Western)	33 1/3
Pink	15
Small Red	15

and (ii) offer to deliver the beans so set aside to a governmental agency or to an authorized purchaser not later than the 30th day after the calendar month in which such beans were purchased. Beans so set aside shall not be delivered to an authorized purchaser unless a certificate, certifying that such set-aside beans will be delivered to a governmental agency or to the General Supplies Administration, Government of Puerto Rico, shall be issued and retained in accordance with the provisions of paragraph (g) hereof.

(2) Beans so set aside and offered for delivery shall be of U. S. Grade No. 2 or better, as defined in the United States Standards for beans, as revised, effective September 1, 1941. Deliveries of each class of set-aside beans shall be made in carload lots and shall conform to the specifications of the agency or administration to which they are delivered as to packaging, storage, and time and manner of delivery.

(3) Set-aside beans left on hand because they constitute less than a carload lot shall be offered for delivery with set-aside beans of the same class in each succeeding calendar month. Set-aside beans which cannot be delivered as required herein, for the reason that offers of delivery were not accepted, shall not thereby lose their character as set-aside beans. Such beans shall be reoffered as set-aside beans by the country shipper in each succeeding calendar month until delivered.

(c) *Exemption from restriction; delivery to other country shipper; certificate to be issued and retained.* Notwithstanding the restriction of paragraph (b), a country shipper may purchase beans without making the required set aside if, not later than the 30th day after the calendar month in which such beans were purchased, such beans are delivered to another country shipper and a certificate, certifying that the required set aside will be made by him, is issued by the country shipper taking delivery of such beans. Copies of such certificate

shall be issued and retained in accordance with the provisions of paragraph (g) hereof.

(d) *Exemption from restriction; beans purchased for use as seed or feed; certificate to be issued and retained.* Notwithstanding the restriction of paragraph (b), a country shipper may purchase beans without making the required set aside if such beans are in good faith purchased exclusively for use (i) as seed for planting, in accordance with regulations issued or to be issued by the Office of Price Administration, or (ii) as feed for poultry or livestock. When beans purchased by a country shipper for either of such uses are sold by the country shipper, there shall be issued and retained a certificate, certifying that such use will be made of said beans, in accordance with the provisions of paragraph (g) hereof.

(e) *Exemption from restriction; delivery of set-aside beans to another country shipper; certificate to be issued and retained.* Notwithstanding the restriction of paragraph (b), a country shipper may, in lieu of delivering set-aside beans to a governmental agency or authorized purchaser under the provisions of said paragraph (b), deliver such set-aside beans to another country shipper not later than the 30th day after the calendar month in which they were purchased. A certificate, certifying that such beans will be offered for delivery to a governmental agency or to an authorized purchaser within 30 days thereafter, shall be issued and retained in accordance with the provisions of paragraph (g) hereof.

(f) *Restrictions on authorized purchaser.* No authorized purchaser shall deliver set-aside beans except (i) in performance of a contract with a governmental agency, (ii) in performance of a contract with the General Supplies Administration, Government of Puerto Rico, or (iii) to a person designated by the Order Administrator.

(g) *Certificates.* The certificates required hereunder shall follow the form annexed hereto, marked Exhibit A, and shall be completed in accordance with the instructions appearing therein. Two copies of each certificate required shall be signed by the person taking delivery of the beans and one such signed copy shall be delivered to the person making the delivery at the time the delivery is made. A separate certificate shall be made for each separate transaction subject to this order. Such certificates shall be retained by each party to the transaction for at least two years after the date thereof for inspection by the Administrator and, upon his request, for delivery to him. No person shall be entitled to rely on any such certificate if he knows or has reasonable cause to believe it to be false. Each such certificate shall be deemed to be a representation to the United States Department of Agriculture of the truth and performance of all matters stated therein.

(h) *Records and reports.* (1) Every person who is a country shipper shall

mail to the Order Administrator, War Food Order No. 45, Production and Marketing Administration, Washington 25, D. C., prior to the 10th day of each month beginning November 1, 1946 (on Form FDO-45-4, as revised September 1946, furnished by said Order Administrator), a report showing the quantities of beans purchased from producers or other country shippers and delivered to governmental agencies, authorized purchasers, and other country shippers.

(2) The Administrator shall be entitled to obtain such other information from and require such other reports and the keeping of such records by any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(3) Every person subject to this order shall, for at least two years (or for such period of time as the Administrator may designate), maintain an accurate record of his transactions in beans.

(i) *Contracts.* The restrictions hereof shall be observed without regard to the rights of creditors, prior contracts, existing contracts, payments made, or deliveries of beans made prior to the effective date hereof.

(j) *Audits and inspections.* The Administrator shall be entitled to make such audit or inspection of the books, records, and other writings, premises, or stocks of beans of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(k) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship upon him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Administrator. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Administrator. After such review the Administrator may take such action as he deems appropriate, which action shall be final.

(l) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using dry threshed beans. Any person who willfully violates any provisions of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(m) *Releases.* (1) The Administrator may, notwithstanding any of the provisions hereof, release any or all of the beans set aside pursuant to the provisions of this order when he deems such action in the public interest.

(2) Upon application, the Order Administrator is hereby authorized to re-lease any person from the classification of a country shipper if the person seeking removal from such classification shows to the satisfaction of the Order Administrator (i) that his total purchases of beans during each of the two calendar months immediately prior to the date of his application, have not exceeded 20,000 pounds; (ii) that he is currently in compliance with the provisions of the order; (iii) that he has delivered or contracted to deliver to governmental agencies or authorized purchasers all of the beans required to be set aside. If after release, any person again comes within the definition of a country shipper he shall be subject to all provisions of this order.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall be addressed to the Order Administrator, War Food Order No. 45, Grain Branch, Production and Marketing Administration, Washington 25, D. C. Ref: WFO-45.

(o) *Delegation of authority.* The administration of this order and the powers vested in the Secretary of Agriculture insofar as such powers relate to the administration of the order, are hereby delegated to the Administrator, Production and Marketing Administration and may be redelegated by him to any employee of the United States Department of Agriculture.

(p) *Territorial Scope.* This order shall apply within the 48 States and the District of Columbia.

(q) *Effective date.* This amendment shall become effective at 12:01 a. m., E. S. T. October 1, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 45, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements of this order will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E. O. 9280, December 5, 1942, 7 F. R. 10179; E. O. 9577, June 29, 1945, 10 F. R. 8087; sec. 2 (a), 54 Stat. 676, as amended, 50 U. S. C. War, App. Supp. 1152 (a))

Issued this 24th day of September 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

EXHIBIT A—CERTIFICATE REQUIRED BY WAR
FOOD ORDER 45, AS AMENDED

I hereby certify to the U. S. Department of
Agriculture that I purchased from -----

Name of Selling Country Shipper

Address of Selling Country Shipper

Quantity Unit

----- of ----- beans on
Grade Class

----- which beans
Date

(strike or omit inapplicable paragraphs)

(1) are beans from which no set aside has been made. I agree that I will make such set aside and deliver the set aside beans to a governmental agency, an authorized purchaser or another country shipper within 30 days of the date hereof.

(2) are beans purchased for use exclusively as seed beans for planting, or for use exclusively as feed for livestock or poultry, and that such use will be made of such beans.

(3) are set-aside beans and are purchased by me as a country shipper and will be offered for delivery to a governmental agency or an authorized purchaser within 30 days of the date hereof.

(4) are set-aside beans and are purchased by me as an authorized purchaser and will be delivered to a governmental agency in performance of a presently existing contract with such agency or will be delivered to the General Supplies Administration, Government of Puerto Rico, in performance of a presently existing contract with such administration.

I further certify that I am familiar with the terms and conditions of War Food Order 45, as amended, and that the purchase of beans described above is authorized by the order.

Name and Address of Country Shipper or
Authorized Purchaser

By -----
Signature of Official

Title
If (1) or (3) above is applicable, furnish
the following information:

Name and Address of Governmental Agency

Contract No.

Name and Address of Authorized Purchaser

Contract No.

UNITED STATES DEPARTMENT OF AGRICULTURE
SUMMARY TO WFO 45, AMDT. 10

Set-asides for dry beans, applicable to any person who buys more than 20,000 pounds of designated classes of beans from producers during any calendar month, were announced today by the U. S. Department of Agriculture in Amendment 10 to War Food Order 45.

Beginning October 1, 1946 all such buyers will be required to set aside 20 percent of all pea and great northern beans, 15 percent of all pink and small red beans and 33 1/3 percent of all red kidney beans bought direct from producers. Set-asides will be on a class by class basis.

Dry bean set-asides has been suspended October 1, 1945 when it appeared that military and other Government requirements could be filled by open mar-

ket purchases. Set-asides are being re-instituted now, but in modified form, because of continued heavy requirements in excess of the anticipated 1946 crop.

Under the amended order, anyone who buys more than 20 000 pounds of the designated classes of dry beans from producers in any calendar month is defined as a "country shipper". This may include bean canners, wholesalers, retail stores and others who formerly were not required to make a set-aside. Each month the "country shipper" must report his purchases from producers and other country shippers to the Production and Marketing Administration.

Within thirty days after making a set-aside, the "country shipper" must offer beans of U. S. No. 2 grade or better to a governmental agency, or an "authorized purchaser". Under specified conditions, however, he may transfer the set-aside to another country shipper.

"Authorized purchasers" include persons who hold contracts to deliver beans or a product prepared therefrom to a governmental agency, those who purchase beans for delivery to General Supplies Administration, Government of Puerto Rico, and any other persons designated by the Order Administrator.

Principal recipients of the set-aside beans under the amended order will be the United States Army, Navy, Veterans' Administration, Maritime Commission, United Kingdom, General Supplies Administration, Government of Puerto Rico. The set-aside on pea and red kidney beans will be for the Armed Services, Veterans' Administration, Maritime Commission, General Supplies Administration, Government of Puerto Rico. Set-aside great northern beans will be bought by the Commodity Credit Corporation for the United Kingdom. The set-aside on small red and pink beans is for the benefit of Puerto Rico.

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cpi

JUNE 7, 1944

WAR FOOD ADMINISTRATION

[WFO 45-1]

PART 1491—BEANS

REQUIREMENT OF REPORTS

Pursuant to the authority vested in me by the provisions of War Food Order No. 45 as amended (8 F.R. 4228; 8 F.R. 9106; 8 F.R. 14880; 9 F.R. 3628; 9 F.R. 4319), it is hereby ordered that:

§ 1491.2 *Reports of deliveries*—(a) *Reports required.* Every person who is a "country shipper" as defined in War Food Order No. 45, as amended, shall file with the Administrator of said order,

War Food Administration, Washington 25, D. C., prior to the 10th day of each month (on Form FDO-45-2 as revised April 25, 1944, furnished by the said Order Administrator) a report showing the quantities of the beans designated in § 1491.1 (b) (1) of said order, delivered by him during the preceding calendar month to "governmental agencies", to "authorized purchasers", and "into civilian channels", as defined in said order.

(b) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 7, 1944.

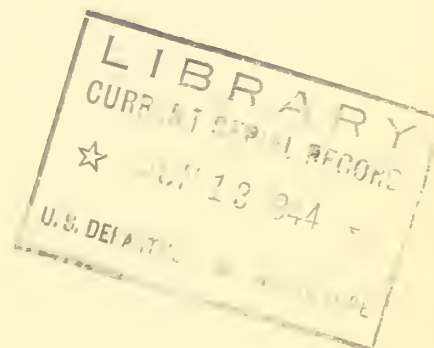
NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 45, 8 F.R. 4228; 8 F.R. 9106; 8 F.R. 14880; 9 F.R. 3628; 9 F.R. 4319)

Issued this 7th day of June 1944.

C. W. KITCHEN,
Acting Director of Distribution.

GPO—WFA 701—p. 1



WAR FOOD ADMINISTRATION
OFFICE OF DISTRIBUTION
WASHINGTON 25, D. C.
OFFICIAL BUSINESS

Penalty for Private Use to Avoid Payment of
Postage, \$300



DEPARTMENT OF AGRICULTURE

WFO 45

PARTIAL SUSPENSION
SEPT. 29, 1945

LIBRARY
CURRENT SERIAL RECORD
DEC 3 1945

[War Food Order No. 45—Partial Suspension]

PART 1491—BEANS

RESTRICTIONS ON DELIVERIES OF BEANS

Section 1491.1 (b) of War Food Order No. 45, as amended (9 F.R. 9775, 14273; 10 F.R. 103, 9914, 10419), is suspended effective at 12:01 a. m., e. s. t., October 1, 1945, until further order: *Provided*, That the set aside requirements in Sec-

tion 1491.1 (b) shall not be suspended with respect to beans sold and delivered by country shippers during September, 1945 or any other month prior to October 1, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under said War Food Order No. 45, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of

sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 29th day of September 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

U. S. Department of Agriculture
Summary to WFO 45 Partial Suspension

All set-asides of dry beans for military and other Government purchases have been suspended for an indefinite period by the Department of Agriculture, effective October 1.

Dealers will be required, however, to hold for delivery to Government agencies and authorized purchasers the quantities set aside through September 30, and to continue to make monthly reports

under the provisions of War Food Order No. 45-1.

WFO 45 was put into effect in 1943 for the purpose of assuring the armed forces and Government procurement agencies the quantities of beans needed to meet military, lend-lease and other requirements.

The set-aside has been suspended at this time as a part of the Department's policy to lift wartime marketing controls at the earliest possible date. Military and other Government purchases

of dry beans after September 30, will be made in the open market.

This year's crop of dry beans has been estimated at 15,370,000 bags of 100 pounds each (uncleaned basis) as compared with 16,128,000 bags produced in 1944. The total supply (including carry-over) available for civilians will be about the same as in 1944-45.

Prices to producers are being supported by Government purchases and agreements with the trade to pay producers the support prices.

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cap. 6

DEPARTMENT OF AGRICULTURE

WFO 45

TERMINATION

OCT. 24, 1946

[WFO 45, Termination]

PART 1491—BEANS

RESTRICTIONS ON PURCHASE AND DELIVERY

War Food Order No. 45 (11 F. R. 11062), is hereby terminated. Beans set aside under the provisions of War Food Order No. 45, prior to the effective date of this order are hereby released.

This order shall become effective at 12:01 a. m., e. s. t., October 24, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 45, all provisions of said order shall be deemed to remain in force for the pur-

pose of sustaining any proper suit, action, or other proceeding, with respect to any such violation, right, liability, or appeal.

(E. O. 9280, December 5, 1942, 7 F. R. 10179; E. O. 9577, June 29, 1945, 10 F. R. 8087; sec. 2 (a), 54 Stat. 676, as amended, 50 U. S. C. War App. Sup. 1152 (a))

Issued this 24th day of October 1946.

[SEAL]

N. E. DODD,

Acting Secretary of Agriculture.

*United States Department of Agriculture
Summary to WFO 45, Termination*

Immediate termination of set-aside and other restrictions on the purchase

and distribution of dry edible beans under War Food Order No. 45 was announced today by the U. S. Department of Agriculture. Beans already set aside were also released from all restrictions under the order.

Dry bean set-asides had been reinstituted recently through WFO No. 45, as amended, in order to obtain limited supplies for Government agencies, U. S. Territories, and foreign consumers.

Department officials stated that removal of price ceilings on dry beans makes administration of the order impracticable.

